

REMARKS

Claim Amendments

Claims 1, 17, 36, 37 and 40 remain in this application.

Claims 1, 36, 37 and 40 have been amended to use the adjective “free-standing” to clarify the novelty of the plant support of the present invention.

Claims 1 and 36 have been amended to more clearly describe the free-standing aspect of the plant support of the present invention.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected Claims 1, 17, 37, 37 and 40 as being unpatentable over Japanese Patent JP 03098515 to Fujita.

Regarding Claims 1 and 36, in response to the Examiner pointing out that “Fujita teaches that the plant support is securely positioned inside the plant container which would allow one to carry the combination by gripping the top of the element #1”, Claims 1 and 36 were amended to define the plant support of the present invention as a “free-standing” plant support. Claims 1 and 36 were further amended to clarify that the base element of the present invention is dimensioned to stand freely within a plant container without contacting the container’s sidewalls. It is believed that these amendments distinguish the free-standing plant support of the present invention from Fujita’s support which he teaches, as pointed out by the Examiner, is securely positioned inside the container.

It is therefore believed that amended Claims 1 and 36 distinguish from Fujita.

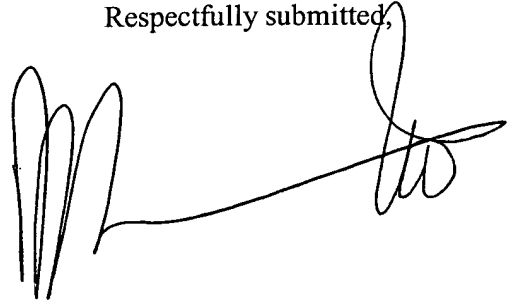
Claim 17 is dependent on Claim 1 and therefore distinguishes for the same reason.

Claims 37 and 40 are dependent on Claim 36 and therefore distinguish for the same reason.

In view of the above amendments and comments, favorable reconsideration and allowance of this application are requested.

Daniel R. Polonenko
Reg. No. 59,094
Tel (604) 631-4921
Our File No.: 265874.00001
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Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a horizontal line and a cursive flourish.